

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, <i>ex rel.</i>	)	
State Engineer,	)	
	)	
Plaintiffs,	)	
	)	No. 69cv07941 BB-ACE
v.	)	Rio Chama Stream Adjudication
	)	Section 7: Tierra Amarilla, Rio Brazos,
	)	Rutheron and Plaza Blanca, Cañones Creek,
	)	Village of Chama
ROMAN ARAGON et al.,	)	
	)	
Defendants.	)	
_____	)	

**THE JICARILLA APACHE NATION’S UNOPPOSED MOTION FOR EXTENSION OF  
TIME TO SUBMIT A DRAFT HYDROGRAPHIC SURVEY REPORT  
TO THE OFFICE OF THE STATE ENGINEER**

The Jicarilla Apache Nation (“Nation”), by and through its attorneys Nordhaus Law Firm, LLP, hereby moves the Court to grant a two-week extension of time for the Nation to submit to the Office of the State Engineer (“OSE”) a Draft Hydrographic Survey Report and to grant a corresponding two-week extension of time for the OSE to provide the Nation with its comments on the Draft Hydrographic Survey Report. In support of this motion the Nation asserts:

1. On January 16, 2007, the Court entered a Scheduling and Procedural Order Governing the Outstanding Water Rights Claims of the Jicarilla Apache Nation (Doc. 8531) setting out a schedule for planned hydrographic survey work to be conducted by the Nation.
2. Pursuant to that Scheduling and Procedural Order, the scheduled date for the Nation to deliver to the OSE a Draft Hydrographic Survey Report is August 31, 2007, and the scheduled date for the OSE to provide the Nation with its comments is October 31, 2007.

3. Field work has been conducted and a Draft Hydrographic Survey Report is under preparation.

4. Additional time is needed to prepare the Draft Hydrographic Survey Report.

5. Counsel for the State has been contacted regarding this extension and does not object provided that the State is granted an extension of an equal amount of time for its review and comment on the Draft Hydrographic Survey Report.

6. As the work under the Court's Scheduling and Procedural Order proceeds, the Nation will re-evaluate whether it may be necessary to seek additional changes to the schedule, but at this time the Nation is not seeking an extension of the December 31, 2007, scheduled date for submission of a Preliminary Hydrographic Survey Report to the OSE, or any subsequent deadlines.

Wherefore the Nation respectfully requests that the Court extend, until September 14, 2007, the scheduled date for the Nation's submission to the hydrographic survey staff of the OSE a Draft Hydrographic Survey Report for review and comment, and also that the Court extend, until November 14, 2007, the OSE's scheduled date for providing the Nation with comments on the Draft Hydrographic Survey Report.

Dated August 24, 2007.

Respectfully submitted,

/s/Noelle Graney

Susan G. Jordan  
Noelle Graney  
NORDHAUS LAW FIRM, LLP  
1239 Paseo de Peralta  
Santa Fe, NM 87505  
(505) 982-3622

Jennifer J. Dumas  
NORDHAUS LAW FIRM, LLP  
405 Dr. Martin Luther King, Jr., NE  
Albuquerque, NM 87102  
(505) 243-4275

*Attorneys for the Jicarilla Apache Nation*

**CERTIFICATE OF SERVICE**

I hereby certify that, on August 24, 2007, I filed the foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO SUBMIT A DRAFT HYDROGRAPHIC SURVEY REPORT TO THE OFFICE OF THE STATE ENGINEER** electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

**David A. Benavides**

davidb@nmlegalaid.org

**Frank M Bond**

fbond@simonsfirm.com,ssandoval@simonsfirm.com,ggonzales@simonsfirm.com,fbond@mac.com

**Bradley S. Bridgewater**

bradley.s.bridgewater@usdoj.gov,gary.durr@usdoj.gov,jennifer.vaughn2@usdoj.gov,yvo  
nne.marsh@usdoj.gov

**James C. Brockmann**

jcbrockmann@newmexicowaterlaw.com

**Tessa T. Davidson**

ttd@tessadavidson.com

**Rebecca A. Dempsey**

rdempsey@wkkm.com,fmtz@wkkm.com

**Charles T. DuMars**

ctd@lrpa-usa.com

**Jennifer J Dumas**

jdumas@nordhauslaw.com,mchavez@nordhauslaw.com

**Randolph B. Felker**

randfelker@aol.com

**Jeffrey Fornaciari**

jfornaciari@hinklelawfirm.com,mlara@hinklelawfirm.com

**Gary S. Friedman**

gsf@chflaw.com

**Vickie L. Gabin**

vlgabin@nm.net

**Gallin-Capulin Acequia Association**

ernj\_chacon@valornet.com

**David W Gehlert**

david.gehlert@usdoj.gov,jennifer.vaughn2@usdoj.gov,judy.tetreault@usdoj.gov,lori.mon  
tano@usdoj.gov

**Ryan Margaret Golten**

ryang@nmlegalaid.org

**Noelle Graney**

ngraney@nordhauslaw.com,svelody@nordhauslaw.com

**Karla JaNelle Haught**

janelle.haught@state.nm.us

**Mary E. Humphrey**

humphrey@newmex.com

**Susan G Jordan**

sjordan@nordhauslaw.com,vruiz@nordhauslaw.com

**Pierre Levy**

pierre@danieljofriel.com,melissa@danieljofriel.com,veronica@danieljofriel.com

**Christopher Lindeen**

christopher.lindeen@state.nm.us

**John F. McCarthy , Jr**

jfmc@wkkm.com

**David C Mielke**

dmielke@abqsonosky.com,sdressler@abqsonosky.com

**Edward G. Newville**

ednewville@ixpn.com,connie.flint@state.nm.us,marjorie.dryden@state.nm.us,fred.kipne  
s@state.nm.us,hilario.rubio@state.nm.us,lawoffice@higherspeed.net

**Brett J Olsen**

brett\_olsen@msn.com

**Quinlan Ranches New Mexico, LLC**

dml@lrpa-usa.com

**Marcus J Rael , Jr**

marcus@roblesrael.com,natalie@roblesrael.com,nicole@roblesrael.com,diane@roblesrae  
l.com

**Walter L. Reardon , Jr**

walter@reardonlawnm.com

**Gregory C. Ridgley**

greg.ridgley@state.nm.us,marjorie.dryden@state.nm.us,vina.gallegos@state.nm.us

**Arianne Singer**

arianne.singer@state.nm.us,lula.valdez@state.nm.us,connie.flint@state.nm.us,marjorie.dryden@state.nm.us,fred.kipnes@state.nm.us,vina.gallegos@state.nm.us

**Jay F Stein**

jfstein@newmexicowaterlaw.com

**John W. Utton**

jwu@ssslawfirm.com,djs@ssslawfirm.com

**Timothy A Vollmann**

tim\_vollmann@hotmail.com

**Fred Waltz**

fwaltz@kitcarson.net,cortega@kitcarson.net

I further certify that on August 25, 2007, the following non-CM/ECF participants were served by U.S. Mail, postage prepaid:

Lee Bergen  
Bergen Law Offices, LLC  
4110 Wolcott Avenue NE, Suite A  
Albuquerque, NM 87109

Christina J. Bruff  
Law & Resource Planning Assoc.  
201 Third Street, NW, #1370  
Albuquerque, NM 87102

Ernest L. Padilla  
Padilla Law Firm  
P.O. Box 2523  
Santa Fe, NM 87504-2523

/s/Noelle Graney